

Remarks

The forgoing amendment has been made after a careful review of the present application, the references of record, and the Office Action dated June 7, 2005. In the Office Action, the examiner allowed claims 5 through 7 and 9 through 14 and rejected claims 1 through 4 and claim 8. The examiner also objected to the title as not being descriptive and suggested a new title. Claims 1 through 4 were rejected under 35 USC 102(b) as being anticipated by Vagins and claim 8 was rejected under 35 USC 103(a) as being unpatentable over Pennington, Jr. in view of Sheirer.

In the forgoing amendment, the applicant has submitted a new name for the application, the name suggested by the examiner, canceled claim 8 and amended claim 1. Claim 1 has been amended to clarify that the elongate body has a forward cutting end and a rearward mounting end and that the table is adjacent the slot and forward of the aperture which is in communication with the inner opening at the rearward mounting end of the bit.

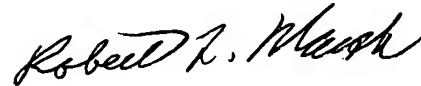
The applicant hereby traverses the rejection of claims 1 through 4 as being anticipated by Vagins. Vagins discloses a cutting tool having one or more slots with a cutting insert fitted into the slot and an aperture in communication with the central opening of a tubular drive shaft. The examiner describes Vagins as having a planar table in the form of a radial flange between indicia numbers 15 and 16 as shown in Figures 1 and 2 of the drawings. The applicant notes that the radial flange shown in Figures 1 and 2 does not bear any indicia numbers and is not described as serving a particular purpose.

The table of the present invention is positioned adjacent the slot that retains the drill blade, such that cuttings from the blade fall onto the table. As explained in the specification, the cuttings from the blade accumulate on the table and become compacted between the table and the forward end of the hole being drilled to thereby slow the rate at which the drill bores. When a vacuum is drawn through the hollow bore of the drill bit, a portion of the accumulated particles on the table are drawn by the vacuum through the apertures positioned immediately below the table. On the other hand, if pressurized water is sent through the bore of the drill bit, it will be expelled out of the apertures below the table to cool the forward end of the drill bit without washing away all the cuttings accumulated on the table. It can be seen therefore, to perform its intended purpose, the table of the present invention must be positioned adjacent the blade and forward of the apertures that are in communication with the central opening of the drill bit. This structure is shown in the drawing, described in the specification, and is clearly recited in amended claim 1. On the other hand, the annular surface disclosed in the Vagins reference is positioned rearward of the apertures leading into the central opening of the drill bit where it will not serve the purpose of the present invention. Accordingly, amended claim 1 clearly defines over the Vagins reference and is allowable.

Claims 2 through 4 are all dependent upon claim 1 and are allowable for the same reasons set forth with respect to claim 1. Since claim 8 has been canceled in the forgoing amendment, all the claims are now in condition for allowance.

In view of the forgoing, the applicant hereby requests the reconsideration and allowance of the present application.

Respectfully submitted,

A handwritten signature in cursive script, reading "Robert L. Marsh".

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